

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 14, 1997**

DIVISION TWO

B103365      People                                  (Not for Publication)  
v.  
Anthony Williams

The Court:

The judgment sentencing appellant to a prison term of 25 years to life, enhanced by a determinate term of 8 years, is reversed, and the matter is remanded to the trial court for resentencing to enable the court to exercise its discretion whether to strike one or both of the qualifying prior felony conviction allegations under the three strikes law on its own motion in the furtherance of justice. In all other respects, the judgment is affirmed.

Fukuto, Acting P.J., Nott, J., Zebrowski, J.

### DIVISION THREE

B104271 People (Not for Publication)  
v.  
Carlos Josegueda Estrada

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

DIVISION THREE (Continued)

B101809      Thomas Saidi dba Air and Ocean      (Not for Publication)  
                 v.  
                 Chadney-Hoeller, Inc.

The order denying Saidi's motion for relief is reversed with directions to grant Saidi's motion to vacate the order of dismissal. Saidi to recover costs on appeal.

Klein, P.J.

We concur:    Kitching, J.  
                 Aldrich, J.

B102587      People      (Not for Publication)  
                 v.  
                 Willie James Sims

The judgment is modified to reflect consecutive terms of 29 years to life in state prison on counts 1, 2, 4, 5, 8, 11, 13 and 15, concurrent terms on the remaining counts, and two, five-year enhancements pursuant to section 667, subdivision (a)(1). As so modified, the judgment is affirmed.

Klein, P.J.

We concur:    Aldrich, J.  
                 Aranda, J. (Assigned)

B098423      People      (Certified for Publication)  
                 v.  
                 Kevin Banks

The one-year, stayed county jail sentence imposed by the trial court is vacated and a six-month, stayed county jail sentence is hereby imposed in its place. The judgment as modified is affirmed. The trial court is directed to prepare an amended abstract of judgment and forward a copy to the Department of Corrections.

Klein, P.J.

We concur:    Croskey, J.  
                 Aldrich, J.

## DIVISION FOUR

[illegible]

The case is remanded to the trial court which is ordered to exercise its discretion with respect to its findings that appellant suffered five prior felony convictions within the meaning of section 667.5, subdivision (b). The trial court is ordered to stay imposition of sentence on counts 2 and 3, said stay to become permanent upon completion of the term in count 1. In all other respects, the judgment is affirmed.

Baron, J.

We concur: Vogel (C.S.), P.J.  
Epstein, J.

B100995      People  
v.  
Simanjuntak

Filed order modifying opinion. (No change in the judgment.)

## DIVISION FIVE

B106547 People (Not for Publication)  
v.  
Kevin L. Galloway

The judgment is reversed and the matter remanded for resentencing only.

Godoy Perez, J.

We concur: Grignon, Acting P.J.  
Armstrong, J.

October 14, 1997-Continued

## DIVISION FIVE (Continued)

B109013 People (Not for Publication)

V.

Olusiji Adeleke Adesina

The judgment is affirmed.

Turner, P.J.

We concur:    Armstrong, J.  
                          Godoy Perez, J.

B106943 People (Not for Publication)

V.

James Cooper

The judgment is affirmed.

Godoy Perez, J.

We concur:   Turner, P.J.  
                      Grignon, J.

B112551 People (Not for Publication)

V.

Benjamin T.

The order of wardship is affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.  
Armstrong, J.

October 14, 1997-Continued

## DIVISION FIVE (Continued)

B110475 People (Not for Publication)

V.

Leo Roy Pruitt

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.

Grignon, J.

B106581 Charles Carr (Not for Publication)

V.

Kaiser Foundation Hospital et al.

The judgment is affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.

Armstrong, J.

B106287 People (Not for Publication)

V.

Michael C. Knight

The judgment is affirmed.

Godoy Perez, J.

We concur:   Turner, P.J.

Armstrong, J.

DIVISION FIVE (Continued)

B105968      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Cynthia E.

The judgment is affirmed.

Turner, P.J.

We concur:   Grignon, J.  
                 Armstrong, J.

B106821      People      (Not for Publication)  
                 v.  
                 Roosevelt Wallace

The judgment is affirmed.

Armstrong, J.

We concur:   Turner, P.J.  
                 Grignon, J.

B111115      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Oscar R.

The judgment is affirmed.

Turner, P.J.

We concur:   Grignon, J.  
                 Godoy Perez, J.

October 14, 1997-Continued

DIVISION FIVE (Continued)

B107011      People      (Not for Publication)  
v.  
Guillermo Conde

The judgment is affirmed.

Armstrong, J.

We concur:   Turner, P.J.  
                      Grignon, J.

B097650      Estate of Henry B. Halicki, Deceased.      (Not for Publication)  
v.  
Felix V. Halicki et al.  
J. Patrick McCarroll

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.  
Armstrong, J.

## DIVISION SIX

[illegible]

The judgment is affirmed.

Stone, P.J.

We concur: Gilbert, J.  
Yegan, J.

## October 14, 1997-Continued

## DIVISION SIX (Continued)

B110649 Berry Petroleum Co. (Not for Publication)  
v.  
Rincon Island Limited Partnership

The order is affirmed. We deny sanctions because we cannot say Rincon's appeal is completely without merit not does it appear to have been prosecuted for an improper motive. Appellants shall bear costs on appeal.

Gilbert, J.

We concur:   Stone, P.J.  
                      Coffee, J.

B110653 Fairview Neighbors (Not for Publication)  
v.  
County of Ventura  
Southdown, Inc.

The trial court properly granted the motion to disqualify Reiser from representing Southdown/TMC and the order is affirmed. Costs to respondents.

Stone, P.J.

I concur: Yegan, J.  
I concur: Gilbert, J. (opinion)

## DIVISION SEVEN

[illegible]

The judgment is affirmed.

Neal, J.

We concur:   Johnson, Acting P.J.  
                      Woods, J.